

# Hume Council barks up wrong tree

BY STEPHANIE ZEVENBERGEN

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HUME Council has slammed the state government's legislation on restricted dog breeds, stating it's too easy for owners to flout the new law.

The council has been taken to the Victorian Civil and Administrative Tribunal six times since September last year by residents who claimed their dogs were wrongfully identified as American pit bulls.

In two cases, VCAT overturned the council's assessment of the dogs, stating they were not restricted breeds.

Two cases were struck out by VCAT as the dog owners did not appear at the hearing. Their dogs were euthanised.

Two cases are now before VCAT.

Under the new law, which came into force in September, councils across Victoria have the right to seize and destroy unregistered restricted breeds that are found roaming the streets or have caused injury to an animal or person.

The legislation followed the fatal dog attack on four-year-old Ayen Chol in St Albans on August 17. American pit bull terriers and Perro de Presa Canario are restricted breeds.

Council's city infrastructure director, Steve Crawley, suggested there were loopholes in the law.

"Council is disappointed with the result of recent cases that have gone before VCAT as council's classification of some dogs as 'restricted breed' dogs has been overturned.

"We feel as though we're not able to provide a safer community. We feel as though whenever we take a case to VCAT we're not being supported by VCAT, so the legislation is not serving its purpose."

At a VCAT hearing on July 16, VCAT senior member Robert Davis told the council's dog assessor that she had "a lack of experience in assessing these types of dogs ..." in reference to pit bull breeds.

Mr Davis overturned the council's decision to destroy the dog.

Mr Crawley disagreed and said all council officers were competent in classifying restricted breeds.

American Pit Bull Terrier Club of Australia secretary Bonnie Norton said VCAT was the "only option dog owners had to save their pets".

Ms Norton, who has attended every VCAT hearing since the legislation was introduced, said: "They have no alternative. A lot of owners don't cope with their pets being taken away from them. One owner presented to hospital with a suspected heart attack; one owner tried to take his life."

Mr Crawley said the council would meet Department of Primary Industries officials within a few weeks to discuss the legislation and the VCAT rulings.

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